

1-1 By: Armbrister S.B. No. 23
1-2 (In the Senate - Filed April 15, 2003; April 16, 2003, read
1-3 first time and referred to Committee on Natural Resources;
1-4 May 9, 2003, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 8, Nays 0; May 9, 2003, sent
1-6 to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 23 By: Armbrister

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the creation of the Waller County Road Improvement
1-11 District No. 1; providing authority to impose a tax and issue bonds.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. CREATION OF DISTRICT. (a) Waller County Road
1-14 Improvement District No. 1 is created as a special district under
1-15 Section 52, Article III, and Section 59, Article XVI, Texas
1-16 Constitution.

1-17 (b) The board by resolution may change the district's name.

1-18 SECTION 2. DECLARATION OF INTENT. (a) The creation of the
1-19 district is necessary to promote, develop, encourage, and maintain
1-20 transportation, safety, employment, commerce, housing, tourism,
1-21 recreation, the arts, entertainment, economic development, and the
1-22 public welfare in the area of the district.

1-23 (b) The creation of the district is essential to accomplish
1-24 the purposes of Sections 52 and 52-a, Article III, and Section 59,
1-25 Article XVI, Texas Constitution, and other public purposes stated
1-26 in this Act.

1-27 SECTION 3. DEFINITIONS. In this Act:

1-28 (1) "Board" means the board of directors of the
1-29 district.

1-30 (2) "District" means Waller County Road Improvement
1-31 District No. 1.

1-32 SECTION 4. BOUNDARIES. The district includes all the
1-33 territory contained in the following described area:

1-34 FIELD NOTES FOR A 31.6118 ACRE TRACT OF LAND IN THE H&TC RAILROAD
1-35 COMPANY SURVEY, SECTION 103, ABSTRACT 169, WALLER COUNTY, TEXAS,
1-36 SAID 31.6118 ACRE TRACT BEING THAT CERTAIN CALLED 31.6120 ACRE
1-37 TRACT (PART OF TRACT 4) IN DEED TO K-B MANAGEMENT PARTNERS, LTD.,
1-38 RECORDED IN VOLUME 305, PAGE 361, DEED RECORDS, WALLER COUNTY,
1-39 TEXAS, AND FURTHER DESCRIBED IN VOLUME 236, PAGE 630, DEED RECORDS,
1-40 WALLER COUNTY, TEXAS, BEARINGS FOR THE HEREIN DESCRIBED TRACT ARE
1-41 GRID BASED UPON G.P.S. OBSERVATIONS OF TRIANGULATIONS STATION
1-42 "BROOKSHIRE", DISTANCES ARE GEODETIC, SCALE FACTOR USED IS
1-43 0.99988896, COORDINATES ARE TEXAS STATE PLANE, SOUTH CENTRAL ZONE,
1-44 NAD 1983;

1-45 COMMENCING at a 3/4 inch iron pipe found in the east line of Igloo
1-46 Road (80-foot wide) at the southwest corner of the K-B Management
1-47 Partners, LTD., called 39.581 acre tract (Tract 2), recorded in
1-48 Volume 305, Page 361, Deed Records, Waller County, Texas, and
1-49 further described in Volume 235, Page 43, Deed Records, Waller
1-50 County, Texas. surveyed this date as 39.3537 acres, same being the
1-51 northwest corner of the K-B Management Partners, LTD. called
1-52 161.383 acre tract (Tract 2), surveyed this date as 161.8245 acres,
1-53 recorded in Volume 305, Page 361, Deed Records, Waller County,
1-54 Texas, said point bears North 87 degrees 55 minutes 48 seconds East,
1-55 11.5 feet from the southwest corner of the H&TC Railroad Company
1-56 Survey, Section 103, Abstract 169, same being the northwest corner
1-57 of the J.G. Bennett Survey, Abstract 292 (Section 104);

1-58 THENCE North 87 degrees 55 minutes 48 seconds East, along the common
1-59 line of the H&TC Railroad Company Survey, Section 103, Abstract
1-60 169, and the J.G. Bennett Survey, Abstract 292 (Section 104), and
1-61 the south line of said adjoining called 39.581 acre K-B Management
1-62 Partners, LTD tract, 3.135.06 feet to a 1-1/4 inch iron pipe found
1-63 on said line for the southwest corner of Place of Beginning of the

2-1 herein described 31.6118 acre tract of land, same being the
 2-2 southeast corner of said adjoining K-B Management Partners, LTD.
 2-3 called 39.581 acre tract, surveyed this date as 39.3537 acres, and
 2-4 being in the north line of a certain adjoining Pennzoil Exploration
 2-5 and Production Company called 142 acre tract, recorded in Volume
 2-6 464, Page 271, Deed Records, Waller County, Texas;
 2-7 THENCE North 02 degrees 00 minutes 55 seconds West along the common
 2-8 line of the herein described 31.6118 acre tract and the
 2-9 aforementioned adjoining called 39.581 acre K-B Management
 2-10 Partners, LTD tract, surveyed this date as 39.3537 acres (called
 2-11 North 02 degrees 01 minute West, 540.4 feet) for a distance of
 2-12 541.97 feet to a 1/2 inch iron pipe found on the south right-of-way
 2-13 line of Interstate Highway 10 for the northwest corner of the herein
 2-14 described 31.6118 acre tract, same being the northeast corner of
 2-15 said adjoining 39.581 acre K-B Management Partners, LTD tract, said
 2-16 point having coordinates of Y=13,844,652.304, X=2,954,875,326;
 2-17 THENCE North 88 degrees 15 minutes 42 seconds East, along the north
 2-18 line of the herein described 31.6118 acre tract, being the south
 2-19 line of Interstate Highway 10 (called North 87 degrees 58 minutes 56
 2-20 seconds East, 2,047.09 feet) for a distance of 2,049.18 feet to a
 2-21 concrete right-of-way marker found on said line at the beginning of
 2-22 a curve to the right;
 2-23 THENCE around said curve to the right with a central angle of 40
 2-24 degrees 08 minutes 27 seconds, a radius of 534.68 feet, a length of
 2-25 374.59 feet, a tangent of 195.35 feet, and a chord bearing South 71
 2-26 degrees 40 minutes 04 seconds East, 366.98 feet to a 1/2 inch iron
 2-27 pipe with cap marked "Kalkomey Surveying" set at the tangency of
 2-28 said curve;
 2-29 THENCE South 51 degrees 56 minutes 59 seconds East, 337.90 feet to a
 2-30 1/2 inch iron pipe with cap marked "Kalkomey Surveying" set at the
 2-31 beginning of a curve to the left;
 2-32 THENCE around said curve to the left with a central angel of 40
 2-33 degrees 10 minutes 58 seconds, a radius of 617.97 feet, a length of
 2-34 433.39 feet, a tangent of 226.04 feet, and a chord bearing South 71
 2-35 degrees 13 minutes 35 seconds East, 424.57 feet to a concrete
 2-36 right-of-way marker found at the tangency of said curve;
 2-37 THENCE North 88 degrees 13 minutes 11 seconds East continuing along
 2-38 the south right-of-way line of Interstate Highway 10, being the
 2-39 north line of the herein described tract (called North 88 degrees 17
 2-40 minutes 10 seconds East, 158.67 feet) for a distance of 158.16 feet
 2-41 to a 1/2 inch iron pipe with cap marked "Kalkomey Surveying" set at
 2-42 its point of intersection with the west right-of-way line of
 2-43 Pederson Road, being the northeast-most corner of the herein
 2-44 described 31.6118 acre tract of land, and being located in the east
 2-45 line of said H&TC Railroad Company Survey, Section 103, Abstract,
 2-46 169, same being the west line of the H&TC Railroad Company Survey,
 2-47 Section 107, Abstract, 170;
 2-48 THENCE South 02 degrees 33 minutes 46 seconds East (called South 02
 2-49 degrees 15 minutes East, 30 feet) along the east line of the herein
 2-50 described tract, the west right-of-way line of Pederson Road (50
 2-51 feet wide), and the common line of said H&TC Railroad Company
 2-52 Survey, Section 103, Abstract, 169, and said H&TC Railroad Company
 2-53 Survey, Section 107, Abstract 170, a distance of 30.46 feet to a 1
 2-54 inch iron pipe found on said common line for the southeast-most
 2-55 corner of the herein described 31.6118 acre tract of land, same
 2-56 being the northeast corner of an adjoining Cooper Cameron Corp.
 2-57 called 58.6130 acre tract, recorded in Volume 0509, Page 919,
 2-58 Official Records, Waller County, Texas, and being the southeast
 2-59 corner of said H&TC Railroad Company Survey, Section 103, Abstract,
 2-60 169, and the northeast corner of the aforementioned J.G. Bennett
 2-61 Survey, Abstract 292 (Section 104), said point having coordinates
 2-62 of Y=13,844,228.624, X=2,958,099.425;
 2-63 THENCE South 87 degrees 53 minutes 32 seconds West along the south
 2-64 line of the herein described tract, being the common line between
 2-65 the H&TC Railroad Company Survey, Section 103, Abstract 169, and
 2-66 the J.G. Bennett Survey, Abstract 292 (Section 104), same being the
 2-67 north line of said adjoining Cooper Cameron Corp. called 58.6130
 2-68 acre tract, and the north line of the aforementioned adjoining
 2-69 Pennzoil Exploration and Production Company called 142 acre tract

3-1 (called South 87 degrees 43 minutes 39 seconds West, 3,204.36 feet)
3-2 for a distance of 3,207.21 feet to the Place of Beginning containing
3-3 31.6118 acres of land, more or less.
3-4 FIELD NOTES FOR 39.3537 ACRE TRACT OF LAND IN THE H&TC RAILROAD
3-5 COMPANY SURVEY, SECTION 103, ABSTRACT 169, WALLER COUNTY, TEXAS,
3-6 SAID 39.3537 ACRE TRACT BEING THAT CERTAIN CALLED 39.581 ACRE TRACT
3-7 (TRACT 2) IN DEED TO K-B MANAGEMENT PARTNERS, LTD., RECORDED IN
3-8 VOLUME 305, PAGE 361, DEED RECORDS, WALLER COUNTY, TEXAS, FURTHER
3-9 DESCRIBED IN VOLUME 235, PAGE 43, DEED RECORDS, WALLER COUNTY,
3-10 TEXAS, BEARINGS FOR THE HEREIN DESCRIBED TRACT ARE GRID BASED UPON
3-11 G.P.S. OBSERVATIONS FROM TRANGULATION STATION "BROOKSHIRE",
3-12 DISTANCES ARE GEODETIC, SCALE FACTOR USED IS 0.99988896,
3-13 COORDINATES ARE TEXAS STATE PLANE, SOUTH CENTRAL ZONE, NAD 1983;
3-14 BEGINNING at a 3/4 inch iron pipe found on the east tine of Igloo
3-15 Road (80 feet right-of-way) for the southwest corner and Place of
3-16 Beginning of the herein described 39.3537 acre tract of land, said
3-17 point being North 87 degrees 55 minutes 48 seconds East, 11.5 feet
3-18 from the southwest corner of the aforementioned H&TC Railroad
3-19 Company Survey, Section 103, Abstract 169, same being the northwest
3-20 corner of the J.G. Bennett Survey, Abstract 292 (Section 104), said
3-21 beginning point also being the northwest corner of an adjoining
3-22 161.8245 acre tract (called 161.383 acres), surveyed by the
3-23 undersigned this date, being in deed to K-B Management Partners,
3-24 LTD., recorded in Volume 305, Page 361, Deed Records, Waller
3-25 County, Texas, said point having coordinates Y=13,843,997.417,
3-26 X=2,951,761.369;
3-27 THENCE North 01 degrees 50 minutes 00 seconds West along the east
3-28 line of Igloo Road being the west line of the herein described tract
3-29 (called North 00 degrees 14 minutes 57 seconds West, 125.66 feet)
3-30 for a distance of 125.66 feet to a 1/2 inch iron pipe with cap marked
3-31 "Kalkomey Surveying" set on said line for an angle point;
3-32 THENCE North 06 degrees 04 minutes 27 seconds East continuing along
3-33 the west line of the herein described tract (called North 07 degrees
3-34 39 minutes 20 seconds East, 438.71 feet) for a distance of 438.71
3-35 feet to a 1/2 inch iron pipe with cap marked "Kalkomey Surveying"
3-36 set at the point of intersection of said line with the south
3-37 right-of-way line of Interstate Highway 10 for the northwest corner
3-38 of the herein described 39.3537 acre tract of land;
3-39 THENCE North 88 degrees 15 minutes 54 seconds East along the south
3-40 right-of-way line of Interstate Highway 10, being the north line of
3-41 the herein described tract (called North 89 degrees 44 minutes 20
3-42 seconds East, 3,073.79 feet) for a distance of 3,072.96 feet to a
3-43 1/2 inch iron pipe found on said line for the northeast corner of
3-44 the herein described 39.3537 acre tract of land, same being the
3-45 northwest corner of an adjoining K-B Management Partners, LTD.,
3-46 called 31.6120 acre tract, surveyed this date as 31.6118 acres,
3-47 recorded in Volume 305, Page 361 (Deed Description in Volume 236,
3-48 Page 630), Deed Records, Waller County, Texas, said point having
3-49 coordinates of Y=13,844,652.304, X=2,954,875.326;
3-50 THENCE South 02 degrees 00 minutes 55 seconds East along the common
3-51 line of the herein described 39.3537 acre tract and the
3-52 aforementioned adjoining 31.6118 acre tract surveyed this date
3-53 (called South 00 degrees 34 minutes 45 seconds East, 547.87 feet)
3-54 for a distance of 541.97 feet to a 1-1/4 iron pipe found at the point
3-55 of intersection of said line with the common line of the
3-56 aforementioned H&TC Railroad Company Survey, Section 103, Abstract
3-57 169, and the J.G. Bennett Survey, Abstract 292 (Section 104), the
3-58 southeast corner of the herein described 39.3537 acre tract, same
3-59 being the southwest corner of the aforementioned adjoining 31.6118
3-60 acre tract surveyed this date, said point also being in the north
3-61 line of an adjoining Pennzoil Exploration and Production Company
3-62 called 142 acre tract, recorded in Volume 464, Page 271, Deed
3-63 Records, Waller County, Texas, said point having coordinates of
3-64 Y=13,844,110.6650, X=2,954,894.385;
3-65 THENCE South 87 degrees 55 minutes 48 seconds West along the common
3-66 line of the H&TC Railroad Company Survey, Section 103, Abstract
3-67 169, and the J.G. Bennett Survey, Abstract 292 (Section 104), being
3-68 the north line of the aforementioned Pennzoil Exploration and
3-69 Production Company called 142 acre tract, at 244.24 feet pass the

4-1 northwest corner of said adjoining called 142 acre Pennzoil
4-2 Exploration and Production Company tract, same being the upper
4-3 northeast corner of a certain adjoining called 261.7841 acre tract
4-4 conveyed to Margene West Lloyd and W.R. Lloyd, Jr., recorded in
4-5 Volume 303, Page 584, Deed Records, Waller County, Texas, at 324.24
4-6 feet pass a 1/2 inch iron pipe with cap marked "Kalkomey Surveying"
4-7 set on said line being the upper northwest corner of said adjoining
4-8 called 261.7841 acre Lloyd tract, same being the northeast corner
4-9 of the aforementioned adjoining K-B Management Partners, LTD.
4-10 called 161.383 acre tract (Tract 3), and continue along said line
4-11 (called North 89 degrees 30 minutes 50 seconds West, 3,137.31 feet)
4-12 for a distance of 3,135.06 feet to the Place of Beginning,
4-13 containing 39.3537 acres of land, more or less.
4-14 FIELD NOTES FOR A 161.8245 ACRE TRACT OF LAND IN THE J.G. BENNETT
4-15 SURVEY, ABSTRACT 292 (SECTION 104), WALLER COUNTY, TEXAS, SAID
4-16 161.8245 ACRE TRACT BEING THAT CERTAIN CALLED 161.383 ACRE TRACT
4-17 (TRACT 3) IN DEED TO K-B MANAGEMENT PARTNERS LTD. RECORDED IN VOLUME
4-18 305, PAGE 361, DEED RECORDS, WALLER COUNTY, TEXAS, FURTHER
4-19 DESCRIBED IN VOLUME 236, PAGE 223, DEED RECORDS, WALLER COUNTY,
4-20 TEXAS. BEARINGS FOR THE HEREIN DESCRIBED TRACT ARE GRID BASED UPON
4-21 G.P.S. OBSERVATIONS OF TRIANGULATION STATION "BROOKSHIRE",
4-22 DISTANCES ARE GEODETIC, SCALE FACTOR USED IS 0.99988896.
4-23 COORDINATES ARE TEXAS STATE PLANE, SOUTH CENTRAL ZONE, NAD 1983;
4-24 BEGINNING at a 3/4 inch iron pipe found on the east line of Igloo
4-25 Road (80 feet wide) for the north west corner and Place of Beginning
4-26 of the herein described 161.8245 acre tract of land, same being a
4-27 southwest corner of an adjoining called 39.581 acre tract (surveyed
4-28 by the undersigned this date as 39.3537 acres) conveyed to K-B
4-29 Management Partners, LTD. recorded in Volume 305, Page 361, and
4-30 further described in Volume 235, Page 43, Deed Records, Waller
4-31 County, Texas, said beginning point having coordinates of
4-32 Y=13,843,997.417, X=2,951,761.369, said point being North 87
4-33 degrees 55 minutes 48 seconds East. 11.5 feet from. the southwest
4-34 corner of the H&TC Railroad Company Survey, Section 103, Abstract
4-35 169, same being the northwest corner of the J.G. Bennett Survey,
4-36 Abstract 292 (Section 104);
4-37 THENCE North 87 degrees 55 minutes 48 seconds East, along the common
4-38 line of the aforementioned H&TC Railroad Company Survey, Section
4-39 103, and the J.G. Bennett Survey, Abstract 292 (Section 104), being
4-40 the common line between the herein described 161.8245 acre tract
4-41 and said adjoining called 39.581 acre K-B Management Partners
4-42 tract, (called North 89 degrees 30 minutes 50 seconds East,
4-43 2,813.08 feet) for a distance of 2,810.83 feet to a 1/2 inch iron
4-44 pipe with cap marked "Kalkomey Surveying" set on said line for the
4-45 northeast corner of the herein described 161.8245 acre tract of
4-46 land, same being the most northerly northwest corner of the
4-47 adjoining Margene West Lloyd and W. R. Lloyd, Jr. called 261.7841
4-48 acre tract, recorded in Volume 303, Page 584, Deed Records, Waller
4-49 County, Texas;
4-50 THENCE South 02 degrees 36 minutes 59 seconds East along the east
4-51 line of the herein described tract, same being the upper west line
4-52 of the aforementioned adjoining called 261.7841 acre Lloyd tract
4-53 (called South 00 degrees 37 minutes 04 seconds East, 2,482.08 feet)
4-54 for a distance of 2,493.17 feet to a 1/2 inch iron pipe with cap
4-55 marked "Kalkomey Surveying" set for the southeast corner of the
4-56 herein described 161.8245 acre tract of land, same being a re-entry
4-57 corner to the aforementioned adjoining called 261.7841 acre Lloyd
4-58 tract, said point having coordinates Y=13,841,608.37995,
4-59 X=2,954,684.177568;
4-60 THENCE South 88 degrees 02 minutes 01 second West along the south
4-61 line of the herein described tract, being the lower north line of
4-62 the aforementioned adjoining called 261.7841 acre Lloyd tract
4-63 (called South 89 degrees 30 minutes West, 2,850.65 feet), for a
4-64 distance of 2,850.00 feet to a 1/2 inch iron pipe found on the east
4-65 line of Igloo Road (80 feet) for the southwest corner of the herein
4-66 described 161.8245 acre tract, same being the lower northwest
4-67 corner of the aforementioned adjoining called 261.7841 acre Lloyd
4-68 tract;
4-69 THENCE North 01 degree 42 minutes 56 seconds West, along the east

5-1 line of Igloo Road and the west line of the herein described tract
5-2 (called North 00 degrees 14 minutes 57 seconds West, 2,482.97 feet)
5-3 for a distance of 2,487.95 feet to the Place of Beginning,
5-4 containing 161.8245 acres of land, more or less.

5-5 SECTION 5. FINDINGS RELATING TO BOUNDARIES. The boundaries
5-6 and field notes of the district form a closure. A mistake in the
5-7 field notes or in copying the field notes in the legislative process
5-8 does not in any way affect the district's:

- 5-9 (1) organization, existence, or validity;
5-10 (2) right to issue any type of bond for the purposes
5-11 for which the district is created or to pay the principal of and
5-12 interest on a bond;
5-13 (3) right to impose or collect an assessment or tax; or
5-14 (4) legality or operation.

5-15 SECTION 6. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.
5-16 (a) The district is created to serve a public use and benefit.

5-17 (b) All land and other property included in the district
5-18 will benefit from the improvements and services to be provided by
5-19 the district under powers conferred by Sections 52 and 52-a,
5-20 Article III, and Section 59, Article XVI, Texas Constitution, and
5-21 other powers granted under this Act.

5-22 (c) The creation of the district is in the public interest
5-23 and is essential to:

- 5-24 (1) further the public purposes of the development and
5-25 diversification of the economy of the state;
5-26 (2) eliminate unemployment and underemployment; and
5-27 (3) develop or expand transportation and commerce.

5-28 (d) The present and prospective traffic congestion in the
5-29 district and the safety of pedestrians and the limited availability
5-30 of funds require the promotion and development of public
5-31 transportation and pedestrian facilities and systems, and the
5-32 district will serve the public purpose of securing expanded and
5-33 improved transportation and pedestrian facilities and systems.

5-34 (e) The district will:

5-35 (1) promote the health, safety, and general welfare of
5-36 residents, employers, employees, visitors, and consumers in the
5-37 district and of the public;

5-38 (2) provide needed funding to preserve, maintain, and
5-39 enhance the economic health and vitality of the district as a
5-40 community; and

5-41 (3) promote the health, safety, welfare, and enjoyment
5-42 of the public by providing pedestrian ways and by landscaping and
5-43 developing certain areas in the district, which are necessary for
5-44 the restoration, preservation, and enhancement of scenic beauty.

5-45 (f) Pedestrian ways along or across a street, whether at
5-46 grade or above or below the surface, and street lighting, street
5-47 landscaping, and street art objects are parts of and necessary
5-48 components of a street and are considered to be a street or road
5-49 improvement.

5-50 (g) The district will not act as the agent or
5-51 instrumentality of any private interest even though the district
5-52 will benefit many private interests as well as the public.

5-53 SECTION 7. APPLICATION OF OTHER LAW. Chapter 311,
5-54 Government Code (Code Construction Act), applies to this Act.

5-55 SECTION 8. CONSTRUCTION OF ACT. (a) This Act shall be
5-56 liberally construed in conformity with the findings and purposes
5-57 set forth in this Act.

5-58 (b) If any provision of the general law conflicts with this
5-59 Act, this Act prevails.

5-60 SECTION 9. BOARD OF DIRECTORS; TERMS. (a) The district is
5-61 governed by a board of five elected directors, who serve staggered
5-62 terms of four years.

5-63 (b) Elections for directors shall be held on the uniform
5-64 election date in May in even-numbered years.

5-65 SECTION 10. QUALIFICATIONS. (a) A person must meet the
5-66 qualifications of Section 375.063, Local Government Code, to serve
5-67 as a director of the district.

5-68 (b) Section 49.052, Water Code, does not apply to directors
5-69 of the district.

6-1 SECTION 11. POWERS OF DISTRICT. (a) The district has all
6-2 powers and authority provided by the general laws on road districts
6-3 and road utility districts created under Section 52, Article III,
6-4 Texas Constitution, and conservation and reclamation districts and
6-5 municipal management districts created under Section 59, Article
6-6 XVI, Texas Constitution, including:

- 6-7 (1) Chapters 257 and 441, Transportation Code;
- 6-8 (2) Chapter 375, Local Government Code; and
- 6-9 (3) Chapters 49 and 54, Water Code.

6-10 (b) Authority granted by this Act shall in no way affect or
6-11 impact the powers and authority of the Brookshire-Katy Drainage
6-12 District of Waller County.

6-13 SECTION 12. AGREEMENTS; GRANTS. (a) The district may make
6-14 an agreement with or accept a gift, grant, or loan from any person.

6-15 (b) The implementation of a project is a governmental
6-16 function or service for the purposes of Chapter 791, Government
6-17 Code.

6-18 SECTION 13. LAW ENFORCEMENT SERVICES. To protect the
6-19 public interest, the district may contract with a municipality or
6-20 county to provide law enforcement services in the district for a
6-21 fee.

6-22 SECTION 14. AUTHORITY TO IMPOSE AD VALOREM TAXES,
6-23 ASSESSMENTS, AND IMPACT FEES. The district may impose an ad valorem
6-24 tax, assessment, or impact fee and use the proceeds of the tax,
6-25 assessment, or impact fee for any district purpose, including the
6-26 payment of debt or other contractual obligations, or the payment of
6-27 maintenance and operating expenses.

6-28 SECTION 15. ELECTIONS REGARDING TAXES OR BONDS. (a) The
6-29 district must hold an election in the manner provided by Chapters 49
6-30 and 54, Water Code, to obtain voter approval before the district may
6-31 impose a maintenance tax or issue bonds payable from ad valorem
6-32 taxes.

6-33 (b) The board may include more than one purpose in a single
6-34 proposition at an election.

6-35 SECTION 16. MAINTENANCE TAX. (a) The district may impose
6-36 an annual ad valorem tax on taxable property in the district for any
6-37 district purpose, including to:

- 6-38 (1) maintain and operate the district, including
6-39 improvements constructed or acquired by the district; or
- 6-40 (2) provide a service.

6-41 (b) The board shall determine the tax rate.

6-42 SECTION 17. ASSESSMENTS; PETITION REQUIRED FOR FINANCING
6-43 SERVICES AND IMPROVEMENTS. (a) The board by resolution may impose
6-44 and collect an assessment for any purpose authorized by this Act.

6-45 (b) The board may not finance a service or improvement
6-46 project through an assessment under this Act unless a written
6-47 petition requesting that service or improvement has been filed with
6-48 the board. The petition must be signed by:

6-49 (1) the owners of a majority of the assessed value of
6-50 real property in the district that will be subject to the assessment
6-51 according to the most recent certified tax appraisal roll for the
6-52 county in which the property is located; or

6-53 (2) at least 25 owners of land in the district that
6-54 will be subject to the assessment, if more than 25 persons own land
6-55 in the district that will be subject to the assessment according to
6-56 the most recent certified tax appraisal roll for the county in which
6-57 the property is located.

6-58 (c) An assessment, a reassessment, or an assessment
6-59 resulting from an addition to or correction of the assessment roll
6-60 by the district, penalties and interest on an assessment or
6-61 reassessment, an expense of collection, and reasonable attorney's
6-62 fees incurred by the district:

6-63 (1) are a first and prior lien against the property
6-64 assessed;

6-65 (2) are superior to any other lien or claim other than
6-66 a lien or claim for county, school district, or municipal ad valorem
6-67 taxes; and

6-68 (3) are the personal liability of and charge against
6-69 the owners of the property even if the owners are not named in the

7-1 assessment proceeding.

7-2 (d) The lien is effective from the date of the board's
7-3 resolution imposing the assessment until the date the assessment is
7-4 paid. The board may enforce the lien in the same manner that the
7-5 board may enforce an ad valorem tax lien against real property.

7-6 SECTION 18. OBLIGATIONS. (a) The district may issue bonds
7-7 or other obligations payable in whole or in part from ad valorem
7-8 taxes, assessments, impact fees, revenue, grants, or other money of
7-9 the district, or any combination of those sources of money, to pay
7-10 for any authorized purpose of the district.

7-11 (b) In exercising the district's borrowing power, the
7-12 district may issue a bond or other obligation in the form of a bond,
7-13 note, certificate of participation or other instrument evidencing a
7-14 proportionate interest in payments to be made by the district, or
7-15 other type of obligation.

7-16 SECTION 19. INITIAL DIRECTORS. (a) The initial board
7-17 consists of the following persons:

- 7-18 (1) Julie Magness;
- 7-19 (2) Craig Artze;
- 7-20 (3) Julie Crum;
- 7-21 (4) Gary Tankersley; and
- 7-22 (5) Jennifer Kramer.

7-23 (b) Of the initial directors, the terms of the first three
7-24 directors named in Subsection (a) expire on June 1, 2006, and the
7-25 terms of the last two directors named in Subsection (a) expire on
7-26 June 1, 2004.

7-27 (c) On the uniform election date in May, 2004, the board
7-28 shall hold an election for the directors whose terms expire on June
7-29 1, 2004. On the uniform election date in May, 2006, the board shall
7-30 hold an election for the directors whose terms expire on June 1,
7-31 2006.

7-32 (d) This section expires September 1, 2006.

7-33 SECTION 20. UTILITIES. The district may not impose an
7-34 impact fee or assessment on the property, equipment, rights-of-way,
7-35 facilities, or improvements of an electric utility or a power
7-36 generation company as defined by Section 31.002, Utilities Code, a
7-37 telecommunications provider as defined by Section 51.002,
7-38 Utilities Code, or a gas utility as defined by Section 101.003 or
7-39 121.001, Utilities Code. If the district, in the exercise of the
7-40 powers conferred upon it herein, requires or requests the
7-41 relocation, rerouting, or removal of electric, gas, water, sewer,
7-42 communications, or other public utilities, the relocation,
7-43 rerouting, or removal shall be at the sole expense of the district.

7-44 SECTION 21. ADDITIONAL LEGISLATIVE FINDINGS. The
7-45 legislature finds that:

7-46 (1) proper and legal notice of the intention to
7-47 introduce this Act, setting forth the general substance of this
7-48 Act, has been published as provided by law, and the notice and a
7-49 copy of this Act have been furnished to all persons, agencies,
7-50 officials, or entities to which they are required to be furnished by
7-51 the constitution and laws of this state, including the governor,
7-52 who has submitted the notice and Act to the Texas Commission on
7-53 Environmental Quality;

7-54 (2) the Texas Commission on Environmental Quality has
7-55 filed its recommendations relating to this Act with the governor,
7-56 lieutenant governor, and speaker of the house of representatives
7-57 within the required time;

7-58 (3) the general law relating to consent by political
7-59 subdivisions to the creation of districts with conservation,
7-60 reclamation, and road powers and the inclusion of land in those
7-61 districts has been complied with; and

7-62 (4) all requirements of the constitution and laws of
7-63 this state and the rules and procedures of the legislature with
7-64 respect to the notice, introduction, and passage of this Act have
7-65 been fulfilled and accomplished.

7-66 SECTION 22. EFFECTIVE DATE. This Act takes effect
7-67 immediately if it receives a vote of two-thirds of all the members
7-68 elected to each house, as provided by Section 39, Article III, Texas
7-69 Constitution. If this Act does not receive the vote necessary for

8-1 immediate effect, this Act takes effect September 1, 2003.

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